



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,535	08/04/2000	Eric Edwards	080398.P368	1757

7590 12/15/2004

Sheryl Sue Holloway  
Blakely Sokoloff Taylor & Zafman LLP  
12400 Wilshire Boulevard  
7th Floor  
Los Angeles, CA 90025

EXAMINER
----------

KE, PENG

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/632,535

Applicant(s)

EDWARDS ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 24 and 26 - 33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 24 and 26 - 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This communication is in response to Amendment A, filed 8/23/2004.

Claims 1 – 24 and 26 – 33 are pending in this application. In the Amendment A, claims and 1, 14, 22, and 28 were amended.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 6, 9, 10, 14 – 18, 22 – 26, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney et al., U.S. Patent No. 6,643,663. 663 in view of Mullins, U.S. Patent No. 5,100,154.

As per claim 1, Dabney et al. teaches a computerized method for creating a story by multiple collaborators comprising:

receiving a story concept for the story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

Art Unit: 2174

making the story concept available for online access by multiple collaborators (see Dabney et al., column 5, lines 60 – 65);

determining if the content from each of the multiple collaborators is approved for the story (see Dabney et al. column 5, line 63 – column 6, line 3); and

creating the story from the content that is approved (see Dabney et al. column 5, line 63 – column 6, line 3).

However, Dabney fails to teach the approval of the book is based on the votes received online from at least a subset of the multiple collaborators.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 2, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach determining if the story concept meets predetermined criteria; and deleting the story concept if it does not meet the predetermined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 3, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach determining if the content meets pre-

Art Unit: 2174

determined criteria; and deleting the content if it does not meet the predetermined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 4, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for public viewing (see Dabney et al., column 6 lines 7 – 12).

As per claim 5, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: publishing the story online for private viewing (see Dabney et al., column 5, line 65 – column 6, line 7).

As per claim 6, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method comprising: receiving a vote from an editor (see Dabney et al. column 6, lines 3 – 5; the examiner interprets the approval and storage of story data by an editor as receiving a vote from an editor).

As per claim 9, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teaches wherein the content is associated with the

Art Unit: 2174

story through an identifier that defines the story concept and an element within the story concept (see Dabney et al., column 10, lines 32 – 35).

As per claim 10, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. further teach the method wherein the content received from one of the multiple collaborators is of a different type than content received from another one of the multiple collaborators (see Dabney et al., column 5, lines 63 – 64).

As per claim 11, which is dependent on claim 1, Dabney et al. teach the method of claim 1 (see rejection above). Dabney et al. do not teach determining a reward for one or more of the multiple collaborators. Mullins teaches determining a reward for one or more of the multiple collaborators (see Mullins, column 6, lines 9 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 12, which is dependent on claim 11, Dabney et al. and Mullins teach the method of claim 11 (see rejection above). Dabney et al. do not teach wherein determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes. Mullins teaches wherein determining a reward further comprises: requesting a vote from each viewer of the story; and counting the votes (see Mullins, column 6, lines 1 – 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 13, which is dependent on claim 11, Dabney et al. and Mullins teach the method of claim 11 (see rejection above). Dabney et al. do not teach wherein the reward is based on a category for the story. Mullins teaches the method wherein the reward is based on a category for the story (see Mullins, column 6, lines 9 – 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 14, Dabney et al. teach a computer-readable medium having computer-executable instructions to cause a server computer to perform a method comprising:

receiving a concept for a story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept);

receiving content related to an element in a concept for a story from one of a plurality of collaborators coupled to the server computer (see Dabney et al., column 6, lines 3 – 12);

receiving a decision on the content from an editor, the editor being chosen from the group consisting of the plurality of collaborators and an originator of the concept (see Dabney et al., column 5, line 63 – column 6, line 3 and column 6, lines 3 – 12); and

including the content in the story if the decision of the editor is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

However, Dabney fails to teach the approval of the book is based on the votes received online from at least a subset of the multiple collaborators.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 15, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach publishing the story online when all content for the concept is approved (see Dabney et al., column 6, line 3 – 12 and lines 20 – 24).

As per claim 16, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach deleting the content if it does not meet pre-determined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 17, which is dependent on claim 14, Dabney et al. teach the computer-readable medium of claim 14 (see rejection above). Dabney et al. further teach receiving the concept for the story from the originator (see Dabney et al., column 5, line 63 – column 6, line 2).



As per claim 18, which is dependent on claim 17, Dabney et al. teach the computer-readable medium of claim 17 (see rejection above). Dabney et al. further teach making the concept available if it meets pre-determined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that when the news editors approve the story they are doing so by determining if it meets pre-determined standards).

As per claim 19, it is of similar scope to claim 11, and is rejected under the same rationale as claim 11.

As per claim 20, which is dependent on claim 19, it is of similar scope to claim 12, and is rejected under the same rationale as claim 12.

As per claim 21, which is dependent on claim 19, it is of similar scope to claim 13, and is rejected under the same rationale as claim 13.

As per claim 22, Dabney et al. teach a computerized system comprising:  
a processor;  
a memory coupled to the processor through a system bus;  
a computer-readable medium coupled to the processor through the system bus;  
and an online collaborative story process executed from the computer-readable medium by the processor

to cause the processor to receive a concept for an online story (see Dabney et al., column 5, lines 60 – 65; the examiner interprets news story data as a story concept) and

to post the concept online wherein the concept defines content for the story (see Dabney et al., column 5, lines 60 – 65),

Art Unit: 2174

to receive content for an online story from multiple collaborators (see Dabney et al., column 6, lines 3 – 12),

to receive a decision on the content from an editor (see Dabney et al., column 6, lines 3 – 12), and

to include the content in the story if the decision is to approve the content (see Dabney et al., column 5, line 63 – column 6, line 12; it is inherent that the content is included in the story after being approved by the news editors).

However, Dabney fails to teach the approval of the book is based on the votes received online from at least a subset of the multiple collaborators.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 23, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to publish the story online (see Dabney et al., column 12, lines 15 – 18 and column 13, lines 1 - 5).

As per claim 24, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to delete the content when the content does not satisfy pre-determined criteria (see Dabney et al., column 6, lines 3 –

Art Unit: 2174

5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 26, which is dependent on claim 22, Dabney et al. teach the system of claim 22 (see rejection above). Dabney et al. further teach wherein the online collaborative story process further causes the processor to delete the concept when the concept does not satisfy pre-determined criteria (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors and it is inherent that the story data is erased if it is not approved because the story data is stored only if it is approved).

As per claim 27, which is dependent on claim 22, Dabney et al. teach the method of claim 22 (see rejection above). Dabney et al. do not teach requesting votes from viewers of the story and determining a reward based on votes received in response to the request. Mullins teaches requesting votes from viewers of the story and determining a reward based on votes received in response to the request (see Mullins, column 6, lines 1 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 28, Dabney et al. teach a networked server system comprising:

Art Unit: 2174

means for posting a concept for a story in a story concept area for access by a plurality of collaborators (see Dabney et al., column 5, lines 60 – 65 as well as column 13, lines 55 – 59 and column 14, lines 20 – 29)

means for posting content associated with the story concept in a working content area, the content being received from the plurality of collaborators (see Dabney et al., column 5, line 63 – column 6, line 5);

means for voting on the content in the online working content area (see Dabney et al., column 5, lines 3 – 5; the examiner interprets approving content as voting for the content); and

means for publishing the content approved by the means for voting in a published story area to create the story (see Dabney et al., column 6, lines 3 – 12).

However, Dabney fails to teach the approval of the book is based on the votes received online from at least a subset of the multiple collaborators.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to allow users to reward for the quality of a participant's submissions.

As per claim 29, which is dependent on claim 28, Dabney et al. teach the system of claim 28 (see rejection above). Dabney et al. further teach

means for reviewing the concept and the content in accordance with predetermined standards (see Dabney et al., column 6, lines 3 – 5; it is inherent that the

story data is reviewed in accordance with predetermined standards if it is reviewed for approval by news editors); and

means for deleting the concept and the content if deemed not acceptable by the means for reviewing (see Dabney et al., column 6, lines 3 – 5; it is inherent that the story data is erased if the story data is stored only if it is approved).

As per claim 30, which is dependent on claim 29, it is of similar scope to claim 27 and is rejected under the same rationale.

As per claim 31, Dabney et al. teach displaying multiple stories to a plurality of viewers, each story comprising a story concept submitted by an originator and story content contributed by collaborators (see Dabney et al., column 5, line 60 – column 6, line 12). Dabney et al. do not teach requesting a vote on each story viewed by a viewer; receiving the vote from the viewer; and determining at least one winner from the originators and collaborators for each story.

Mullins teaches requesting a vote on each story viewed by a viewer; receiving the vote from the viewer; and determining at least one winner from the originators and collaborators for each story (see Mullins, column 6, lines 1 – 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 32, which is dependent on claim 31, Dabney et al. and Mullins teach the method of claim 31 (see rejection above). Dabney et al. do not teach requesting a vote for each of a plurality of categories associated with each story and wherein determining at least one winner comprises determining a winner in each of the plurality of categories.

Art Unit: 2174

Mullins teaches requesting a vote for each of a plurality of categories associated with each story and wherein determining at least one winner comprises determining a winner in each of the plurality of categories (see Mullins, column 6, lines 1 – 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Mullins with the method of Dabney et al. in order to facilitate participation and creativity of participants.

As per claim 33, which is dependent on claim 32, Dabney et al. and Mullins teach the method of claim 32 (see rejection above). Dabney et al. do not teach rewarding the at least one winner by one or more of announcing the at least one winner, awarding a prize, and giving an amount of cash.

Mullins teaches rewarding the at least one winner by one or more of announcing the at least one winner, awarding a prize, and giving an amount of cash (see Mullins, column 6, lines 9 – 13).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view of Plantz et al., U.S. Patent No. 6,088,702.

As per claim 7, which is dependent on claim 6, Dabney et al. teach the method of claim 6. Dabney et al. do not teach notifying the editor when the content is received. Plantz et al. teach notifying the editor when the content is received (see Plantz et al. column 10, lines 15 – 20). It

Art Unit: 2174

would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney et al. in order to notify the editor which work by the authors is complete and which work await editing.

As per claim 8, which is dependent on claim 6, Dabney et al. teach the method of claim 6 (see rejection above). Dabney et al. do not teach receiving a list of editors. Plantz et al. teach receiving a list of editors (see Plantz et al., column 11, lines 24 – 26). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Plantz et al. with the method of Dabney et al. in order to facilitate editor assignment.

Claims 11 – 13, 19 – 21, 27, and 30 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Dabney et al., U.S. Patent No. 6,643,663 in view of Mullins, U.S. Patent No. 5,100,154.

### ***Response to Argument***

Applicant's arguments filed on 8/23/04 have been fully considered but they are not persuasive.

Applicant argues that Mullins does not teach or suggest human news editor<sup>s</sup> who prepare the story vote online to determine if their contributed content is included in the story. x

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., human news editors) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van*

*Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner interpreted participant to be collaborator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100